

Lahontan Regional Water Quality Control Board

MINUTES

June 10-11, 2015

Regular Meeting

Tallman Pavilion, Tri County Fair Grounds
Sierra Street & Fair Drive
Bishop, CA 93514

Board Members Participating

Kimberly Cox, Chair, Helendale
Keith Dyas, Vice Chair, Rosamond
Amy Horne, Ph.D., Truckee
Don Jardine, Markleeville
Peter C. Pumphrey, Bishop
Eric Sandel, Truckee

Board Member Absent

Legal Counsel

Kimberly Niemeyer, Office of Chief Counsel, State Water Resources Control Board

State Board Staff

Mayumi Okamoto, Office of Enforcement, State Water Resources Control Board
Paul Ciccarelli, Office of Enforcement, State Water Resources Control Board
Andrew DiLuccia, Office of Public Affairs, State Water Resources Control Board

Regional Board Staff Participating

Patty Z. Kouyoumdjian, Executive Officer
Lauri Kemper, Assistant Executive Officer
Mike Plaziak, Sup. Engineering Geologist
Scott Ferguson, Sup. WRCE
Cathe Pool, Senior WRCE

Jeheil Cass, Senior WRCE
Patrice Copeland, Senior Engineering Geologist
Rich Booth, Senior Engineering Geologist
Jan Zimmerman, Engineering Geologist
Sue Genera, Executive Assistant

TOUR: Mammoth Creek Restoration Projects

At 1 p.m. on June 10, 2015, approximately 14 people gathered at the Tallman Pavilion in Bishop to participate in a Tour of the Mammoth Creek Restoration Projects. Due to inclement weather conditions the first two stops of the tour were shown on a PowerPoint presentation given by Scott Ferguson, Supervising WRCE. The group then travel by car to view the third stop of the tour at Lower Rock Creek.

REGULAR MEETING: Wednesday, June 10, 2015- 7:00 p.m.

To view the full Agenda and listen to the audio of this meeting [CLICK HERE](#)

INTRODUCTIONS

Kimberly Cox, Board Chair, called the meeting to order at 7:01 p.m. on June 10, 2015, and introduced Board Members.

Patty Z. Kouyoumdjian, Executive Officer, introduced Legal Counsel, State Water Board Staff, and Regional Water Board Staff.

1. PUBLIC FORUM

None.

RESCISSION OF WASTE DISCHARGE REQUIREMENTS

The Chair asked Staff if there had been and comments received on Items 3 and 4. When Staff responded no, she requested that Items 3 and 4 be taken up with Items 2 and 5 on the Consent Calendar.

- **Motion:** Moved by Dr. Horne, and seconded by Mr. , to adopt Items 2-5 as presented The Chair called for a Roll Call Vote and the motion **carried** per the following votes:

Ms. Cox	aye
Mr. Dyas	aye
Dr. Horne	aye
Mr. Jardine	aye
Mr. Pumphrey	aye
Mr. Sandel	aye

2. Sequoia Villas Apartments, Board Order No. 6-86-9, San Bernardino County

Click here to view adopted [Board Order No. R6T-2015-0030](#)

3. Gardner Ranch; The 2270 Ranch, Namco Capital Group, Board Order No. 6-95-60, Kern County

Click here to view adopted [Board Order No. R6T-2015-0031](#)

4. Gardner Ranch; Arciero Ranches, Board Order No. 6-95-69, Kern County

Click here to view adopted [Board Order No. R6T-2015-0032](#)

5. Searles Valley Minerals; Argus Boiler Ash Landfills 1 and 2, Board Order No. R6V-2004-0008, San Bernardino County

Click here to view adopted [Board Order No. R6T-2015-0033](#)

PERMIT RENEWAL

6. **California Department of Fish and Wildlife; Fish Springs Fish Hatchery, Inyo County**

Jehiel Cass, Senior WRCE from Lahontan's Victorville Office presented this Item to the Board. In his presentation, Mr. Cass outlined the issues raised during the permit renewal process, the location and operations at the site, changes made from the previous permit, and comments received during public review.

Public Comment

Terry Jackson, representing the Department of Fish and Wildlife (DFW), addressed the Board in favor of the permit on the whole, but due to budget constraints, asked if the Board would be able pay for the quarterly testing of the receiving waters if the DFW collected the samples.

The Executive Officer agreed to collaborate with the DFW on a way to help offset the cost for the additional testing.

- **Motion:** Moved by Mr. Dyas, and seconded by Mr. Pumphrey, to adopt the Item as presented with the late revisions. The Chair called for a Roll Call Vote and the motion **carried** per the following votes:

Ms. Cox	aye
Mr. Dyas	aye
Dr. Horne	aye
Mr. Jardine	aye
Mr. Pumphrey	aye
Mr. Sandel	aye

Click here to view adopted [Board Order No. R6T-2015-0034](#)

ENFORCEMENT

7. **PUBLIC HEARING – Consideration of a Settlement Agreement and Stipulation for Entry of Order in the matter of an Administrative Civil Liability against Los Angeles Department of Power and Water for alleged violations at Lee Vining Creek Diversion Structure, Mono County**

The Chair swore in the speakers that were presenting testimony on the item.

Scott Ferguson, Supervising WRCE, presented this item to the Board. Mr. Ferguson gave an overview of the alleged violations, settlement process, and proposed settlement of \$95,000 to be paid to the State Water Board's Cleanup and Abatement Account.

Michelle Lyman, representing LADWP, addressed the Board in favor of the proposed settlement agreement and stated that LADWP will be implementing more staff training and increasing communication between the Los Angeles office and jobsites to avoid errors in the future. When asked why the settlement did not include a Supplemental Environmental Project (SEP), Ms. Lyman stated that LADWP preferred to have the money placed in the Cleanup and Abatement account so that it could be used to fund projects throughout the region.

Several Board Members raised concerns that if the money is placed in the Cleanup and Abatement Account there would be no local benefit. Board member Horne requested the parties to reconsider the settlement agreement for a possible SEP.

- **Motion:** Moved by Mr. Jardine, and seconded by Mr. Dyas, to adopt the Item as presented with the late revisions. The Chair called for a Roll Call Vote and the motion **failed** per the following votes:

Ms. Cox	aye
Mr. Dyas	aye
Dr. Horne	nay
Mr. Jardine	aye
Mr. Pumphrey	nay
Mr. Sandel	nay

- **Motion:** Moved by Mr. Pumphrey, and seconded by Dr. Horne, to continue this Item in July in the hopes that LADWP and staff bringing back a settlement agreement that contains a SEP. The Chair called for a Roll Call Vote and the motion **carried** per the following votes:

Ms. Cox	aye
Mr. Dyas	aye
Dr. Horne	aye
Mr. Jardine	aye
Mr. Pumphrey	aye
Mr. Sandel	aye

Note: The Water Board recessed at 9:18 p.m.

REGULAR MEETING: Thursday, June 11, 2015 – 8:30 a.m.

INTRODUCTIONS

Chair Cox called the meeting to order at 8:30 a.m. on June 11, 2015, and introduced Board Members.

Patty Z. Kouyoumdjian, Executive Officer, introduced Legal Counsel and Regional Water Board staff.

8. PUBLIC FORUM

Mr. Logan Olds, member of the Water Buffalo, Ride with Purpose organization, informed the Board of the Water Buffalos' efforts to raise over 100k for the Water for People program which brings together local entrepreneurs, civil society, governments, and communities to establish creative, collaborative solutions that allow people to build and maintain their own reliable safe water systems.

OTHER BUSINESS

9. Status Update on Mojave Salt Nutrient Management Plan (SNMP)

Lance Eckhart, Director of Basin Management and Resource Planning for the Mojave Water Agency, provided an update to the Board. In his presentation, Mr. Eckhart discussed: Groundwater Quality; Salt and Nutrient Loading and Impacts; Mojave SNMP

Planning Area; Mixing Model utilizing “STELLA” software package; Ambient Groundwater Quality Characterization; Water Recharge; and, Groundwater Monitoring Plans.

Mike Plaziak, Supervising Engineering Geologist in the Victorville Office, concluded the presentation by discussing: Mojave’s compliance with the State Board’s Recycled Water Policy; Regulatory Application of the SNMP to the Mojave Basin; Water Quality Trading; and, the ongoing collaboration of the Fellowship of the Mojave (a group of staff and stakeholders discussing issues of the Mojave Basin).

Following the presentations, the Chair opened the floor for questions. Several Board members raised questions and concerns with Water Quality Trading. Staff emphasized that the Water Quality Trading Policy is in the preliminary stages for California and that we are looking to other states that have already implemented Water Quality Trading as models. Dr. Horne requested that a workshop be scheduled to discuss the necessity of changes to the Water Quality Objectives for groundwater sub-basins in the Lahontan Region. The Executive Officer stated that the Board will be considering changes to the Basin Plan in November and that this item will be added to the list of possible changes up for consideration.

Public Comment

Mr. Logan Olds, Victor Valley Water Reclamation Authority, addressed the Board and spoke to the impact and cost of regulation. He is encouraged by the work that the Fellowship of the Mojave is doing to help make Water Quality Trading a feasibility.

Note: The Board took a break from 10:25 – 10:36 a.m.

10. Assessment of Bacterial Water Quality in the Lahontan Region

Dr. Roland Knapp, with the University of California’s Sierra Nevada Aquatic Research Laboratory, Center for Eastern Sierra Aquatic Microbial (CESAME), presented his findings from an investigation of the spatial and temporal patterns of fecal indicator bacteria concentrations in streams in the eastern Sierra Nevada portions of the Lahontan Region. Based on 705 samples collected at 111 sites, *E. coli* concentrations in the study area were generally low however; a few areas were characterized by high *E. coli* concentrations. These areas included Bridgeport Valley, Owens River above Crowley Reservoir, Round Valley, and in and around the City of Bishop. Results of statistical analyses suggested that the primary drivers of *E. coli* concentrations in the study area were the presence of livestock (primarily cattle), day of the year, and time of sample collection.

Additional contract work being conducted by CESAME plans to (1) test a broader set of source-specific Microbial Source Tracking assays to determine the extent to which other sources contribute to the concentrations of fecal bacteria, and (2) test additional ruminant assays to evaluate their specificity on the Sierra Nevada landscape.

The Board thanked Dr. Knapp for his informative and thorough presentation.

11. Minutes of the Regular Meetings of March 11-12, 2015 and May 13-14, 2015, held in South Lake Tahoe, CA.

- **Motion:** Moved by Mr. Dyas, seconded by Mr. Jardine, to approve the March Minutes as presented The Chair called for a Roll Call Vote and the motion **carried** per the following votes:

Ms. Cox	aye
Mr. Dyas	aye
Dr. Horne	abstain
Mr. Jardine	aye
Mr. Pumphrey	aye
Mr. Sandel	aye

Click here to view the adopted [March Minutes](#)

- **Motion:** Moved by Dr. Horne, seconded by Mr. Pumphrey, to approve the May Minutes as presented The Chair called for a Roll Call Vote and the motion **carried** per the following votes:

Ms. Cox	abstain
Mr. Dyas	aye
Dr. Horne	aye
Mr. Jardine	aye
Mr. Pumphrey	aye
Mr. Sandel	aye

Click here to view the adopted [May Minutes](#)

REPORTS

12. Reports by Water Board Chair and Board Members

Mr. Pumphrey reported that the 2015 Sierra Water Summit will be held on August 10 in Kings Beach, CA. Chair Cox commended Staff for their work on the May 28 PG&E CAO Workshop held in Barstow. She also presented fellow Board Member Keith Dyas with a framed photograph from their November 2014 Mojave Tour.

13. Executive Officer's Report

Ms. Kouyoumdjian, Executive Officer, presented the [June Written Reports](#) and gave additional updates on:

- May 28 PG&E Draft CAO Workshop in Barstow
- June 16 State Board Compost Workshop in Sacramento
- OEHHA Climate Indicators
- New employees, current recruitment, and vacancies in the Tahoe and Victorville Offices

Ms. Kemper presented a summary of the Quarterly Violations Report.

14. CLOSED SESSION

The Board met in Closed Session to discuss matters related to personnel and the Executive Officer's compensation.

ADJOURNMENT

With no further business to come before the Board, the meeting adjourned at 12:23 p.m. on June 11, 2015.

Prepared by:  _____ Adopted: 7/9/15 _____
Sue Genera, Executive Assistant